

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

ESTATE OF CINDY LOU HILL, by and through its
personal representative, Joseph A. Grube,

Plaintiff,

-vs-

NAPHCARE, INC., an Alabama corporation; and
SPOKANE COUNTY, a political subdivision of the
State of Washington,

Defendants.

**Case No. 2:20-CV-0410-MKD
CIVIL MINUTES**

DATE: JUNE 30, 2022

LOCATION: VIDEO CONFERENCE

PRETRIAL CONFERENCE

HON. MARY K. DIMKE		
Cora Vargas Courtroom Deputy	LC 02 Law Clerk	Kimberly J. Allen Crystal L. Hicks Court Reporter
Hank L. Balson Edwin S. Budge	Erin E. Ehlert Ketia B. Wick	John E. Justice
Plaintiff's Counsel	For Defendant NaphCare, Inc.	For Defendant Spokane County

☐ **Open Court**

☐ **Chambers**

☒ **ZOOM Video**

All parties appearing via Zoom video.

Initial comments by Court re: proposed questions submitted by counsel and by Court for inclusion in a supplemental jury questionnaire; Court and counsel discuss proposed questions and agree to a minor modification.

Court and counsel discuss proposed voir dire and objections thereto.

Mr. Budge inquires as to the number of peremptory challenges allowed by each party; discussion between Court and counsel; Court will rule on issue next Friday, July 8th.

Court informs counsel that all arguments and commentary shall be submitted in briefs on the record and not through email to Chambers with proposed documents, and that all deadlines shall be followed.

Court provides examples of late objections to exhibits and rules on objections.

Court informs counsel of agenda for continuation of hearing in the afternoon.

Recess: 9:53 a.m.

Reconvene: 1:00 p.m.

☒ **ORDER FORTHCOMING**

CONVENED: 9:00 A.M. 1:00 P.M. 2:05 P.M. 2:59 P.M.	ADJOURNED: 9:53 A.M. 1:59 P.M. 2:56 P.M. 3:47 P.M.	TIME: 3:31 HR.	CALENDARED <input type="checkbox"/>
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Pretrial Conference

Court rules on admissibility of expert opinions and clarifies previous rulings re: experts; colloquy between Court and counsel re: clarification as to admissions and omissions of expert opinions.

Argument by Mr. Justice in support of Defendant Spokane County's Objections to Plaintiff's Deposition Designations for Trial, ECF 121; response by Mr. Balson; Court rules on objections.

Argument by Mr. Balson in support of Plaintiff's Objections to Defendants' Deposition Designations and Cross-Designations, ECF 118; response by Ms. Ehlert; Court rules on objections.

Recess: 1:59 p.m.

Reconvene: 2:05 p.m.

Court and counsel discuss Defendant NaphCare's proposed exhibits/identifications; argument by Mr. Balson and Ms. Ehlert; Court rules on objections in part.

Argument by Mr. Balson in support of Plaintiff's objections to NaphCare's Medical record exhibits (106A, 106B, 106C); response by Ms. Ehlert and Mr. Justice; rebuttal argument by Mr. Balson; Court reserves ruling on Plaintiff's objections to 106A, 106B and 106C. Mr. Balson withdraws objection to 106D. Argument by Mr. Balson in support of Plaintiff's objection to NaphCare's proposed exhibit 106E; response by Ms. Ehlert; no objection to admissibility of exhibit by Mr. Justice; Court reserves ruling on Plaintiff's objection to 106E. Argument by Mr. Balson in support of Plaintiff's objection to NaphCare's proposed exhibit 106F; response by Ms. Ehlert; no objection to admissibility of exhibit by Mr. Justice; Court reserves ruling on Plaintiff's objection to 106F.

Argument by Mr. Budge in support of Plaintiff's objections to Spokane County's proposed exhibits/identifications; response by Mr. Justice; Court rules on Plaintiff's objections in part and reserves ruling in part.

Recess: 2:56 p.m.

Reconvene: 2:59 p.m.

Court, Ms. Wick, and Mr. Balson discuss redaction of proposed exhibit 13.

Argument by Mr. Balson, Ms. Ehlert, and Mr. Justice re: Jury Instructions.

Argument by Mr. Budge in opposition to juror questions during trial; argument by Ms. Wick and Mr. Justice in support of juror questions during trial; Court will issue draft jury instructions next week, which will reflect the Court's ruling on this issue.

Court, Mr. Balson, and Ms. Ehlert discuss objections to witness and exhibit lists and rulings thereon.

Colloquy between Court and Ms. Wick re: content and disclosure of Dr. Maple's testimony.